

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1499 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO
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NOORMOHMAD SULEMAN

Versus

VALIBHAI JAMALBHAI SUMOSARA

Appearance:

MR PK JANI for Petitioner

MR AMIT C NANAVATI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 22/02/2000

ORAL JUDGEMENT

#. Under the impugned order, the learned trial court has declined to grant application filed by plaintiff-petitioner for amendment of the plaint. A copy of the application is on the record of this civil

revision application at page No.1. I have gone through the contents of the application and I am satisfied that the learned trial court has not committed any material irregularity in declining to grant this amendment.

#. Though on merits, the learned counsel for the petitioner made manifold submissions but as it is only an interlocutory order, I do not consider it to be appropriate to express any opinion on the merits of the matter, otherwise, it will prejudice the right of the petitioner to challenge this order in the eventuality of his failure in the suit, while challenging the judgment and decree of the learned trial court in the appeal to be filed. In case the order impugned is allowed to stand, it will not cause any irreparable injury to the plaintiff or will not occasion failure of justice. In the result this civil revision application fails and the same is dismissed. Rule discharged. No order as to costs.

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(sunil)